

01-21-08

TOC



PATENT
Attorney Docket No.: 124.0005-10000
Customer No.: 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 2589
Hark C. Chan)
Serial No.: 10/073,124) Group Art Unit: 2683
Filed: February 9, 2002) Examiner: William Cumming
For: INFORMATION DISTRIBUTION)
AND PROCESSING SYSTEM)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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I hereby certify that:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(c);
2. Form PTO/SB/08 (15 pages);
3. 1 foreign patent document;
4. 296 non-patent literature references;
5. \$180 IDS fee to be charged to Deposit Account No. 50-1068; and
6. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

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Date: January 29, 2008

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-SB08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-1068.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The present application is a continuation of Application No. 09/812,003, filed March 19, 2001 (now U.S. Patent No. 6,349,409); which is a continuation of Application No. 09/434,413, filed November 4, 1999 (now U.S. Patent No. 6,317,785); which is a continuation-in-part of Application No. 08/939,368, filed September 29, 1997 (now U.S. Patent No. 6,021,307); which is a continuation-in-part of Application No. 08/644,838, filed May 10, 1996 (now abandoned); which is a continuation-in-part of Application No. 08/279,424, filed July 25, 1994 (now abandoned); and a continuation-in-part of Application No. 08/255,649, filed June 8, 1994 (now abandoned); which is a continuation-in-part of Application No. 08/224,280, filed April 7, 1994 (now abandoned).

Applicant brings to the Examiner's attention that U.S. Patent No. 6,314,574 (the "574 patent"), a continuation-in-part of U.S. Patent No. 6,021,307, is the subject of

litigation in the United States District Court for the Eastern District of Texas, Texarkana Division, Case No. 5:06-cv-00295-DF, hereinafter referred to as Litigation 4.

In Litigation 4, Defendants asserted that various references were pertinent to the issue of validity of the '574 patent under 35 U.S.C. §§ 102 and 103. The references identified by Defendants in Litigation 4 as being allegedly pertinent to the '574 patent are identified by the designation "Lit. 4" in the Examiner Initial column of attached Form PTO/SB/08. Some of the references identified by Defendants in Litigation 4 as being allegedly pertinent to the '574 patent were VHS cassettes and compacts discs. Applicant identified by title as provided by Defendants in Litigation 4 each of the VHS cassettes and compact discs on the attached Form PTO/SB/08. Physical copies of the identified VHS cassettes and compact discs are available to the Examiner upon request.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: January 29, 2008

By: 
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